

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/634,642 Confirmation No.: 7193
Applicant : William Suttle Peters et al.
Filing Date : August 4, 2003
Title : An Intraluminal Inflatable Counter-Pulsation Heart Assist Device
Group Art Unit : 3762
Examiner : Alyssa M. Alter
Docket No. : 13634.4003
Customer No. : 34313

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the Final Official Action mailed 08/18/2006, finally rejecting claims 1-17 and 19-32.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 500.00

The fee for the request for an oral hearing \$ 1000.00

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$750.00.

A check in the amount of the fee is enclosed.

The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Commissioner is hereby authorized to charge \$750.00 and charge any deficiency in fees which or credit any overpayment, as may be required, to Deposit Account No. 15-0665 . I have enclosed a duplicate copy of this sheet.

CERTIFICATE OF TRANSMISSION
37 CFR §1.8

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be transmitted on the date shown below by filing with the USPTO addressed to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Dated: January 11, 2007


Lynne Fulmer

OHS West:260156478.1

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Examiner : Alyssa M. Alter
Docket No. : 13634.4003

A petition for an extension of time under 37 CFR 1.136(a) is enclosed.

I am the:

Applicant.

Assignee of record of the entire interest.
Certificate under 37 CFR 3.73(b) is enclosed.

Attorney or agent of record.

Respectfully submitted,
ORRICK, HERRINGTON & SUTCLIFFE LLP

By:



James W. Geriak, Reg. No. 20,233

Dated: January 11, 2007
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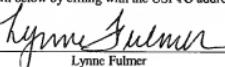
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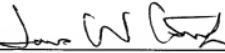
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